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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/848,004	05/03/2001	John J. Cira	9041.00	5665

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EXAMINER

SHAPIRO, JEFFERY A

ART UNIT PAPER NUMBER

3653

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/848,004

Applicant(s)

CIRA ET AL.

Examiner

Jeffrey A. Shapiro

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 35-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 35-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/29/06 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 35-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Copenhaver et al (US 5,859,726) in view of in view of Boss (US 6,568,675 B1) and still further in view of Bastian, II et al (US 6,650,225 B2).

Copenhaver discloses check processing apparatus (DH) with MICR printers (1-18), bins (14a-n), and encoding means (MICR printers), encoded documents (checks) with encoded information (MICR) read by compiler sensor (21,21') and compiler controller (1-110). See Copenhaver, col. 3, lines 40-67 and col. 4, lines 21-26 and figures 6-8.

Copenhaver does not expressly disclose, but Boss further discloses document bins (26, 28 and 30) which are removable, and contain electronic identification tags which contain information on the documents contained in said bins, said information being accessed by the document processing control system. See Boss, col. 3, lines 30-65.

Regarding Claims 35, 39 and 43, Copenhaver does not expressly disclose, but Bastian discloses using a wireless bin module (101) which has an information display (135). See figures 1-4f and 7 as well as col. 13, lines 12-23. Bastian further discloses a first communication interface in the form of either computer/cpu/processor (20) with communication section (22) or in the form of access point module (61). See Bastian, col. 5, line 42-col. 6, line 41. Bastian discloses second communication interface at element (32) in col. 5, lines 46-48) and element (71) in col. 9, lines 37-53. Regarding the "physical checks" referred to in the independent claims can be construed as being the "routing operations" or "operating instructions" disclosed by Bastian at col. 6, lines 17-25. Note also in col. 7, lines 5-9, that both text and graphics are described as being displayed on LCD panel (35f).

Regarding Claims 36, 40 and 44, Bastian discloses a first manually-operable button (36) or (136) that directs the CPU to display information in sequential screens. Note that once the service or task is complete, the operator presses this button, after which information regarding the next pick are displayed. Each new display of information is construed as a "new screen". See Bastian, col. 6, lines 1-11

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Regarding Claims 37, 41 and 45, Bastian discloses a second manually-operable button coupled to the processor/CPU that allows operator input concerning actual pick count taken from a bin. Pressing this button causes this adjusted pick count to be transmitted to first communication interface (22) and (61). See col. 6, lines 28-40.

Regarding Claims 38, 42 and 46, Bastian discloses means to create an audible alert signal from speaker (37), as disclosed at col. 7, lines 10-28.

Regarding Claim 47, see Bastian at col. 5, lines 15-38 and col. 10, lines 40-42, which states that each access point (61) or wireless device (70) has a unique address.

Copenhaver and Boss are considered to be analogous art because they all concern document processing.

Copenhaver and Bastian are considered to be analogous art because Copenhaver concern document processing which produces documents that require inventory management and Bastian concerns inventory management of storage areas such as shelves, drawers or bins. See Bastian, col. 3, lines 4-8.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to have used removable document bins having electronic identification tags, as taught by Boss, in the system Copenhaver.

The suggestion/motivation would have been to provide removable bins which can be moved from machine to machine or station to station for further document processing or document dispensing. See Boss, col. 3, lines 30-col. 4, line-38. Note

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also that although Copenhaver does not expressly disclose details of physical document storage, it would have been obvious to use Boss' bins so as to store processed checks in Copenhaver since Copenhaver's device processes checks and would have required a bin in which to gather and store them.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to have used wireless "bin modules" with second communication means on the bins of Copenhaver, said bin modules interfacing with a control computer having first communications means, as taught by Bastian.

The suggestion/motivation would have been to provide wireless communication with the remote computers or controllers of Copenhaver to reduce wired connections, increase flexibility and reduce installations and maintenance costs. See Bastian, col. 1, line 65-col. 2, line 6 and col. 9, lines 42-49. With regards to Claims 38, 42 and 46, Bastian at col. 7, lines 19-24 provides motivation for providing auditory alarms so as to "provide a faster cue th[a]n would a visual signal".

Response to Arguments

4. Applicant's arguments with respect to Claims 35-47 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Takizawa '954, Lewis '231, Radcliffe '473 and Halperin '004 are all cited as examples of wireless bin inventory systems.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey A. Shapiro whose telephone number is (571)272-6943. The examiner can normally be reached on Monday-Friday, 9:00 AM-5:00 PM.

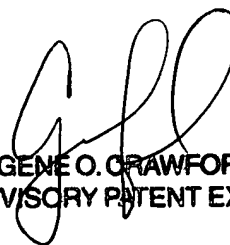
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene O. Crawford can be reached on (571)272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jeffrey A. Shapiro
Examiner
Art Unit 3653

April 16, 2006



GENE O. CRAWFORD
SUPERVISORY PATENT EXAMINER